

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 147

Introduced by Thompson, 14; Bourne, 8; Bromm, 23; Brown, 6;
Connealy, 16; Cudaback, 36; Dierks, 40;
Kristensen, 37; Matzke, 47; Dw. Pedersen, 39; C.
Peterson, 35; Preister, 5; Price, 26; Robak, 22;
Schimek, 27; Schrock, 38; Smith, 48; Suttle, 10;
Wehrbein, 2

Read first time January 7, 1999

Committee: Appropriations

A BILL

- 1 FOR AN ACT relating to anatomical gifts; to amend sections 60-484,
- 2 60-495, 60-4,144, and 60-4,181, Reissue Revised Statutes
- 3 of Nebraska; to create the Organ and Tissue Donor
- 4 Awareness and Education Fund; to provide for
- 5 contributions to and use of the fund; to harmonize
- 6 provisions; and to repeal the original sections.
- 7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-484, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 60-484. (1) Except as otherwise provided in the Motor
4 Vehicle Operator's License Act, no resident of the State of
5 Nebraska shall operate a motor vehicle upon the alleys or highways
6 of the State of Nebraska until the person has obtained an
7 operator's license for that purpose. Application for an operator's
8 license shall be made under oath or affirmation on uniform blanks
9 prepared and furnished by the director to the county treasurers,
10 the examiners of the Department of Motor Vehicles, and any local
11 examiners. The standard application blanks shall be sufficient in
12 form and content to substantially carry out the purposes of the
13 act. In addition to any other information and questions necessary
14 to comply with the requirements and purposes of the act, the
15 application shall include the name, age, post office address, place
16 of residence, date of birth, sex, social security number, and brief
17 description of the applicant, the voter registration portion
18 pursuant to section 32-308, the advisement language required by
19 subsection (10) of section 60-6,197, and the following:

20 (a) Do you suffer from any physical impairment that would
21 detract from normal ability to safely operate a motor vehicle?

22 (b) Have you suffered dismemberment of foot, leg, hand,
23 or arm?

24 (c) Are you subject to vertigo or fainting spells?

25 (d) Has your operator's license ever been revoked or
26 suspended in Nebraska or in any other state or jurisdiction in the
27 United States and, if so, give date and period of and reason for
28 each such occurrence.

1 (e) Do you wish to register to vote as part of this
2 application process?

3 OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE FOLLOWING
4 QUESTIONS:

5 (f) Do you wish to make an anatomical gift?*

6 If so, please complete the following:

7 I give:

8 (i) any needed organs or tissues.

9 (ii) only the following organs or tissues

10
.....

11 (specify the organ or tissue)

12 for transplantation, therapy, or medical or dental education or
13 research.

14 (iii) my body for anatomical study if needed.**

15 Limitations or special wishes if any

16 (g) Do you wish to receive any additional specific
17 information regarding anatomical gifts?

18 *An anatomical gift means a gift of all or any part of
19 your body for transplantation, therapy, or medical or dental
20 education or research. For purposes of an anatomical gift, parts
21 of your body include organs, tissues, eyes, bones, arteries, blood,
22 other fluids, and other portions of a human body. You may make an
23 anatomical gift if you are of sound mind. The anatomical gift is
24 effective upon your death and the consent of your next of kin,
25 guardian, or other person as listed in section 71-4802.

26 **In order for you to donate your body to the State
27 Anatomical Board, you must complete a bequeathal form which is
28 available from the board.

1	.....	.....
2	Signature of Donor	Date of Birth of Donor
3	.....	.....
4	Date Signed	City and State
5	.....	.....
6	Witness	Witness

7 (h) Do you wish to donate \$1 to promote the Organ and
 8 Tissue Donor Awareness and Education Fund? This is strictly a
 9 voluntary contribution.

10 If you answer "YES", you may pay the dollar in cash or
 11 simply add it to your license fee check. Funds collected will be
 12 used for statewide public information programs on organ and tissue
 13 donation.

14 (2) In addition to the information prescribed in
 15 subsection (1) of this section, beginning on January 1, 1998, the
 16 application shall also provide in a clear and conspicuous manner a
 17 notice that the personal information on the application is subject
 18 to disclosure as a motor vehicle record unless the individual
 19 chooses to prohibit such disclosure by filing a prescribed form
 20 with the department.

21 (3) The social security number shall not be printed on
 22 the operator's license and shall be used only (a) to furnish driver
 23 record information to the United States Selective Service System
 24 under section 60-483, (b) with the permission of the director in
 25 connection with the verification of the status of an individual's
 26 driving record in this state or any other state, or (c) for
 27 purposes of child support enforcement pursuant to section 42-358.08
 28 or 43-512.06.

1 (4)(a) Except for an individual under the age of eighteen
2 years, each individual making an application for an operator's
3 license or a state identification card shall furnish proof of date
4 of birth and identity by a valid Nebraska operator's license, a
5 valid Nebraska learner's permit, a valid Nebraska school permit, a
6 valid operator's license from another state or jurisdiction of the
7 United States, a certified birth certificate, a notarized birth
8 registration, a certified birth registration, a valid United States
9 passport, a valid United States military identification card,
10 United States military discharge papers, or other United
11 States-based identification as approved by the director.

12 (b) Any individual under the age of eighteen years making
13 an application for an operator's license or a state identification
14 card shall provide a certified copy of his or her birth
15 certificate, a notarized birth registration, a certified birth
16 registration, or other reliable proof of his or her identity and
17 age accompanied by an affidavit signed by a parent or guardian
18 explaining the inability to produce a copy of such birth
19 certificate. The applicant may be required to furnish proof to the
20 examiner that the parent or guardian signing any written
21 information is in fact the parent or guardian of such applicant.

22 Sec. 2. Section 60-495, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 60-495. (1) The director shall adopt and promulgate such
25 rules and regulations and prepare and furnish all forms and
26 information necessary to carry out sections 60-493, ~~60-494~~ to
27 60-495, 71-4802, and 71-4804.

28 (2) The Organ and Tissue Donor Awareness and Education

1 Fund is created. The county treasurer shall remit ninety-five
2 cents of each dollar contributed under sections 60-484, 60-4,144,
3 and 60-4,181 to the State Treasurer for credit to the fund. The
4 county treasurer shall credit five cents of each dollar to the
5 county general fund to defray the expenses of administration. The
6 Department of Health and Human Services shall administer the Organ
7 and Tissue Donor Awareness and Education Fund for the promotion of
8 organ and tissue donation. The department shall use the fund to
9 assist organizations such as the Organ and Tissue Donor Task Force
10 of Nebraska, Inc., in carrying out activities which promote organ
11 and tissue donation through the creation and dissemination of
12 educational information. Any money in the fund available for
13 investment shall be invested by the state investment officer
14 pursuant to the Nebraska Capital Expansion Act and the Nebraska
15 State Funds Investment Act.

16 Sec. 3. Section 60-4,144, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 60-4,144. (1) Application for any original or renewal
19 commercial driver's license or application for any change of class
20 of commercial motor vehicle, endorsement, or restriction shall be
21 made upon uniform blanks prepared and furnished by the director to
22 the examiners of the Department of Motor Vehicles. All
23 applications shall be made under oath or affirmation of the
24 applicant and shall include the voter registration portion pursuant
25 to section 32-308 and the following:

26 (a) The full name and current mailing and residential
27 addresses of the applicant;

28 (b) A physical description of the applicant, including

1 sex, height, weight, and eye and hair colors;

2 (c) The applicant's date of birth;

3 (d) The applicant's social security number;

4 (e) The applicant's signature;

5 (f) Certification that the commercial motor vehicle in
6 which the applicant takes any driving skills examination is
7 representative of the class of commercial motor vehicle that the
8 applicant operates or expects to operate;

9 (g) The certification required pursuant to section
10 60-4,145 or 60-4,146;

11 (h) The following specific question: Do you wish to
12 register to vote as part of this application process?

13 (i) Any other information required by the director; and

14 (j) The following questions regarding anatomical gifts:

15 OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE FOLLOWING
16 QUESTIONS:

17 (i) Do you wish to make an anatomical gift?*

18 If so, please complete the following:

19 I give:

20 (A) any needed organs or tissues.

21 (B) only the following organs or tissues

22

23 (specify the organ or tissue)

24 for transplantation, therapy, or medical or dental education or
25 research.

26 (C) my body for anatomical study if needed.**

27 Limitations or special wishes if any

28 (ii) Do you wish to receive any additional specific

1 information regarding anatomical gifts?

2 *An anatomical gift means a gift of all or any part of
3 your body for transplantation, therapy, or medical or dental
4 education or research. For purposes of an anatomical gift, parts
5 of your body include organs, tissues, eyes, bones, arteries, blood,
6 other fluids, and other portions of the human body. You may make
7 an anatomical gift if you are of sound mind. The anatomical gift
8 is effective upon your death and the consent of your next of kin,
9 guardian, or other person as listed in section 71-4802.

10 **In order for you to donate your body to the State
11 Anatomical Board, you must complete a bequeathal form which is
12 available from the board.

13	.....	.....
14	Signature of Donor	Date of Birth of Donor
15	.....	.....
16	Date Signed	City and State
17	.....	.....
18	Witness	Witness

19 (iii) Do you wish to donate \$1 to promote the Organ and
20 Tissue Donor Awareness and Education Fund? This is strictly a
21 voluntary contribution.

22 If you answer "YES", you may pay the dollar in cash or
23 simply add it to your license fee check. Funds collected will be
24 used for statewide public information programs on organ and tissue
25 donation.

26 (2) In addition to the information prescribed in
27 subsection (1) of this section, beginning on January 1, 1998, the
28 application shall also provide in a clear and conspicuous manner a

1 notice that the personal information on the application is subject
2 to disclosure as a motor vehicle record unless the individual
3 chooses to prohibit such disclosure by filing a prescribed form
4 with the department.

5 Sec. 4. Section 60-4,181, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 60-4,181. (1) A state identification card shall be
8 issued by the county treasurer after the person requesting the card
9 (a) files an application with an examining officer, (b) furnishes
10 two forms of proof of identification described in section 60-484,
11 and (c) pays a fee to the county treasurer of eighteen dollars and
12 seventy-five cents. Three dollars and fifty cents of the fee shall
13 be credited to the general fund of the county and shall be included
14 by the county treasurer in the report of fees as required by law.
15 Five dollars of the fee shall be remitted to the State Treasurer by
16 the county treasurer for credit to the Department of Motor Vehicles
17 Cash Fund. The balance of the fee shall be remitted to the State
18 Treasurer by the county treasurer and credited to the General Fund.
19 The state identification card shall contain the anatomical gift
20 information specified in section 60-494.

21 (2) The application shall include the name, age, post
22 office address, place of residence, date of birth, sex, social
23 security number, and physical description of the applicant, the
24 voter registration portion pursuant to section 32-308, and the
25 following:

26 Do you wish to register to vote as part of this
27 application process?

28 OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE FOLLOWING

1 QUESTIONS:

2 (a) Do you wish to make an anatomical gift?*

3 If so, please complete the following:

4 I give:

5 (i) any needed organs or tissues.

6 (ii) only the following organs or tissues

7

8 (specify the organ or tissue)

9 for transplantation, therapy, or medical or dental education or
10 research.

11 (iii) my body for anatomical study if needed.**

12 Limitations or special wishes if any

13 (b) Do you wish to receive any additional specific
14 information regarding anatomical gifts?

15 *An anatomical gift means a gift of all or any part of
16 your body for transplantation, therapy, or medical or dental
17 education or research. For purposes of an anatomical gift, parts
18 of your body include organs, tissues, eyes, bones, arteries, blood,
19 other fluids, and other portions of the human body. You may make
20 an anatomical gift if you are of sound mind. The anatomical gift
21 is effective upon your death and the consent of your next of kin,
22 guardian, or other person as listed in section 71-4802.

23 **In order for you to donate your body to the State
24 Anatomical Board, you must complete a bequeathal form which is
25 available from the board.

26

27 Signature of Donor Date of Birth of Donor

28

1	Date Signed	City and State
2

3 Witness Witness

4 (c) Do you wish to donate \$1 to promote the Organ and
5 Tissue Donor Awareness and Education Fund? This is strictly a
6 voluntary contribution.

7 If you answer "YES", you may pay the dollar in cash or
8 simply add it to your license fee check. Funds collected will be
9 used for statewide public information programs on organ and tissue
10 donation.

(3) In addition to the information prescribed in subsection (2) of this section, the application shall also provide in a clear and conspicuous manner a notice that the personal information on the application is subject to disclosure as a motor vehicle record unless the individual chooses to prohibit such disclosure by filing a prescribed form with the department.

17 (4) The director may summarily cancel any state
18 identification card, and any judge or magistrate may order a state
19 identification card canceled in a judgment of conviction, if the
20 application for the card contains any false or fraudulent
21 statements which were deliberately and knowingly made as to any
22 matter material to the issuance of the card or if the application
23 does not contain required or correct information. Any state
24 identification card so obtained shall be void from the date of
25 issuance. Any judgment of conviction ordering cancellation of a
26 state identification card shall be transmitted to the director who
27 shall cancel the card.

28 Sec. 5. Original sections 60-484, 60-495, 60-4,144, and

LB 147

LB 147

- 1 60-4,181, Reissue Revised Statutes of Nebraska, are repealed.